REMARKS

Applicants respectfully request a telephonic interview with the Examiner upon the Examiner's receipt of this communication. The Examiner is respectfully requested to contact the undersigned attorney of record at (213) 892-5587 to discuss the content of this communication.

Claims 1, 14, 20, 26-30, and 33-35 are currently pending in the present application, with Claims 1, 14, and 20 being amended. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner rejected Claims 1, 14, 20, 26-30 and 33-35 under 35 U.S.C. § 103(a) as being unpatentable over Weinstock et al. (U.S. Patent No. 6,166,314) in view of "Emagic Notator Logic Sequencing software (Macintosh)" by Jim Aikin [hereinafter "Aikin"]. This rejection is respectfully traversed with respect to the amended claims.

As previously communicated, the present invention is directed to a method for editing musical performance data using a computer system having a display.

Applicants have further amended the claims to reflect additional aspects of the present invention. Specifically, a method/system according to the present invention displays different layers of different execution function (e.g., see Fig. 2 of the present application, displaying layers of Tempo, Dyna, Modul, Accent, etc.). In accordance with the claimed invention, execution icons are attachable to one of the display layers, wherein the attached execution icon represents execution data related to the execution function of the attached layer. For instance, as shown in Fig. 2 of the present application, execution icons related to the "Dyna" function are attached to the "Dyna" layer displayed, whereas execution icons related to tempo are attached to the tempo layer displayed.

As also previously communicated, Weinstock is directed to an apparatus for correlating performance data onto a musical score, where the performance data is inputted in real time, and Aikin is directed to a software sequencer.
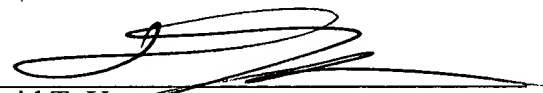
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Neither reference contains any disclosure or suggestion of displaying editing layers dedicated to different categories of editing function, and attaching execution icon to the editing layers in accordance with the corresponding editing function of the layer and of the execution icon. Accordingly, Applicants respectfully submit that the rejected claims, as amended, are not obvious in view of the cited references.

In view of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Deputy to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 393032019700.

Respectfully submitted,

Dated: September 6, 2005   By: _____

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